

COUNTY COUNCIL
OF
HARFORD COUNTY, MARYLAND

AS AMENDED

BILL NO. 93-13 (as amended)Introduced by Council President Wilson at the request of the County Executive
Legislative Day No. 93-8 Date March 9, 1993

AN ACT to repeal and re-enact, with amendments, the definition of "agencies" of Section 41-3, heading, Definitions, of Article I, heading, General Provisions; Subsection C.(1), heading, Scope of purchasing authority, of Section 41-7, heading, Director, of Article II, heading, Department of Procurement; Section 41-14, heading, Competitive Bidding, of Article II, heading, Department of Procurement; Section 41-17, heading, Budget Limitations and Allotments, of Article III, heading, Purchase Orders and Contracts; Subsection A., heading, Generally, of Section 41-26, heading, Formal contract procedure, ~~Subsection A., procedure; Subsections A. and C.,~~ heading, Generally, of Section 41-27, heading, Open market procedure, of Article III, heading, Purchase Orders and Contracts; Subsection B., heading, Qualification Questionnaire, of Section 41-28, heading, Consultant and other professional services, of Article III, heading, Purchase Orders and Contracts; and Section 41-32, heading, Blanket Orders, of Article III, heading,

By the Council, March 9, 1993
Introduced, read first time, ordered posted and public hearing scheduled
on: April 6, 1993
at: 6:30 p.m.
By Order: Doris Poulson, Secretary

PUBLIC HEARING

Having been posted and notice of time and place of hearing and title of Bill having been published according to the Charter, a public hearing was held on April 6, 1993, and concluded on, April 6, 1993

Doris Poulson, Secretary

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW. [Brackets] indicate matter deleted from existing law. Underlining indicates language added to Bill by amendment. Language lined through indicates matter stricken out of Bill by amendment.

COUNTY COUNCIL
OF
HARFORD COUNTY, MARYLAND

AS AMENDED

BILL NO. _____

Introduced by Council President Wilson at the request of the County Executive
Legislative Day No. _____ Date _____

Purchase Orders and Contracts; to add new Subsection E. to Section 41-27, Open market procedure, of Article III, Purchase Orders and Contracts; all of Chapter 41, heading, Procurement, of the Harford County Code, as amended; to provide for a new definition of the word "agencies;" to provide for the responsibility of the Director for the purchase of any interest in real property; to provide for an increase in the amount of a purchase before a certification of funds is necessary; to provide for increased monetary thresholds for competitive bidding, purchasing of supplies and contractual services, and sales of personal property; to provide for the responsibility of the Director to maintain qualification questionnaires; to delete the maximum amount for single purchases against blanket order agreements; and generally relating to Procurement.

By the Council, _____
Introduced, read first time, ordered posted and public hearing scheduled
on: _____
at: _____
By Order: _____, Secretary

PUBLIC HEARING

Having been posted and notice of time and place of hearing and title of Bill having been published according to the Charter, a public hearing was held on _____, and concluded on, _____
_____, Secretary

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW. [Brackets] indicate matter deleted from existing law. Underlining indicates language added to Bill by amendment. Language lined through indicates matter stricken out of Bill by amendment.

1 Section 1. Be It Enacted By the County Council of Harford
2 County, Maryland, that the definition of "agencies," of Section 41-
3 3, Definitions, of Article I, General Provisions, of Chapter 41,
4 Procurement, Section 41-7(C)(1), Director, of Article II,
5 Department of Procurement, of Chapter 41, Procurement, Section 41-
6 14, Competitive Bidding, of Article II, Department of Procurement,
7 of Chapter 41, Procurement, Section 41-17, Budget Limitations and
8 Allotments, of Article III, Purchase Orders and Contracts, of
9 Chapter 41, Procurement, Subsection A. of Section 41-26, Formal
10 Contract Procedure, of Article III, Purchase Orders and Contracts,
11 of Chapter 41, Procurement, ~~Subsection A.~~ Subsections A. and C. of
12 Section 41-27, Open Market Procedure, of Article III, Purchase
13 Orders and Contracts, of Chapter 41, Procurement, Subsection B. of
14 Section 41-28, Consultant and Other Professional Services, of
15 Article III, Purchase Orders and Contracts, of Chapter 41,
16 Procurement and Section 41-32, Blanket Orders, of Article III,
17 Purchase Orders and Contracts, of Chapter 41, Procurement, of the
18 Harford County Code, as amended, be, and they are hereby repealed
19 and reenacted with amendments, and that new Subsection E be, and it
20 is hereby, added to Section 41-27, Open market procedure, of
21 Article III, Purchase Orders and Contracts, of Chapter 41,
22 Procurement, all to read as follows:

23 Chapter 41. Procurement.

24 Article I. General Provisions.

25 Section 41-3. Definitions.

26 For the purposes of this chapter, the following words and
27 phrases shall have the meanings respectively ascribed to them by

this section:

Agencies -- All offices, departments, institutions, boards, commissions and all other organizational elements of the [county.] COUNTY, INCLUDING THE SHERIFF'S OFFICE, STATE'S ATTORNEY'S OFFICE, COUNTY LIQUOR CONTROL BOARD, BOARD OF SUPERVISORS OF ELECTIONS, AND CIRCUIT COURT, BUT NOT THE OFFICE OF THE CLERK OF THE COURT.

Article II. Department of Procurement.

Section 41-7. Director.

Subsection C. Scope of purchasing authority.

(1) Exceptions. The Director shall not be responsible for providing for the purchasing of books, periodicals, organizational memberships, educational services and [seminars, any interest in real property] SEMINARS and, except as otherwise provided for herein, physicians' services, special legal counsel and other professional services customarily negotiated.

Article III. Purchase Orders and Contracts.

Section 41-14. Competitive bidding.

Except as otherwise provided herein, all purchases of and contracts for supplies and contractual services and all sales of personal property which has become obsolete and unusable, in an amount of [three thousand dollars (\$3,000.)] \$10,000 or more, shall be based on competitive bids. Trade-in of equipment and supplies may be a part of a purchase.

Section 41-17. Budget limitations and allotments.

No purchase of supplies, services, equipment or capital improvement projects shall be made for any agency of the county in

1 excess of available unencumbered appropriations or allotments
2 applicable thereto. Except for purchases in an amount of not more
3 than [fifty dollars] [(\$50)] \$100 and emergency purchases, no
4 purchase order or contract shall be executed or payment made out of
5 county funds for purchase of supplies, services, equipment or
6 capital improvement projects unless the County Treasurer or his
7 designee shall first certify that the funds for the proposed
8 purchase are available.

9 Section 41-26. Formal contract procedure.

10 A. Generally. All supplies and contractual services, except as
11 otherwise provided herein, when the estimated cost thereof
12 shall exceed [three thousand dollars (\$3,000.)] \$10,000, shall
13 be purchased by formal written contract from the lowest
14 responsible bidder after due notice inviting bids. All sales
15 of personal property which has become obsolete and unusable,
16 when the estimated value shall exceed [three thousand dollars
17 (\$3,000.)] \$10,000, shall be by formal, written contract to
18 the highest responsible bidder after due notice inviting bids.

19 Section 41-27. Open market procedure.

20 A. Generally. Except as provided in § 41-20.1 of this chapter,
21 all purchase of supplies, contractual services and all sales
22 of personal property which has become obsolete and unusable,
23 of less than the estimated value of [three thousand dollars
24 (\$3,000.)] \$10,000, shall be made in the open market, without
25 newspaper advertisement and without observing the procedure
26 prescribed in § 41-26 for the award of formal contracts and in
27 § 41-28 for the award of contracts for consultant and other

1 professional services.

2 C. Notice inviting bids. The Director shall solicit price
3 quotations by direct mail request to prospective vendors
4 and/or by telephone. FOR THOSE PROCUREMENTS OF \$5,000 TO
5 \$10,000, PRICE QUOTATIONS SHALL BE DOCUMENTED BY MEANS SUCH
6 AS, BUT NOT LIMITED TO, ELECTRONIC OR FACSIMILE TRANSMISSIONS
7 FROM THE VENDORS WHICH WILL BE RETAINED IN THE FILE. The
8 solicitation of price quotations should be from as many
9 suppliers as are required to obtain a reasonably complete
10 sampling of the market. The list of potential suppliers
11 should be rotated, always including the current source, so
12 that over a period of time each will be contacted. The
13 solicitation should cover a spread of multiple quantities
14 sufficient to indicate the price breaks or discounts for
15 quantity purchases and possible transportation economics.

16 E. AUDIT. THE DIRECTOR SHALL PERIODICALLY CONDUCT AN AUDIT OF
17 THE OPEN MARKET ORDERS AND THE PRICE QUOTATIONS SUBMITTED TO
18 THE DEPARTMENT. THE DIRECTOR SHALL RETAIN A WRITTEN RECORD OF
19 THE AUDIT FOR A PERIOD OF THREE (3) YEARS.

20 Section 41-28. Consultant and other professional services.

21 B. Qualification questionnaire. The Director of Procurement,
22 [not less than quarterly] by public advertising, will
23 PERIODICALLY, BUT NO LESS THAN EVERY TWO YEARS, require that
24 all firms interested in providing professional consultant
25 services for the county submit a statement of their area of
26 interest together with a questionnaire similar to the United
27 States Government's Standard Form 251 and any other data
28 pertinent to the description of capabilities of their firm.

AS AMENDED

1 These submissions will be MAINTAINED under the supervision of
2 the Director [,maintained, reviewed and monitored by the
3 Director of the Department of Public Works or cognizant
4 department head or using agency]. All statements and other
5 data will be updated annually. DURING INTERIM PERIODS BETWEEN
6 ADVERTISEMENTS, THE DIRECTOR SHALL ACCEPT SUBMISSIONS FROM
7 PROFESSIONALS AND CONSULTANTS. PENDING THE NEXT PUBLIC
8 ADVERTISEMENT, THE DIRECTOR SHALL ADD THE NAMES OF THE NEW
9 CONSULTANTS AND PROFESSIONALS TO THE LIST. Insofar as
10 possible, the Director shall list in the advertisement the
11 forthcoming projects and contracts.

12 Section 41-32. Blanket orders.

13 To reduce the administrative workload of the Department of
14 Procurement and expedite purchase of supplies, the Director of
15 Procurement may establish blanket order agreements (charge
16 accounts) with selected suppliers for such commodities as
17 automotive repair parts, stationery and office supplies and other
18 categories of supplies as may be determined by the Director of
19 Procurement. Blanket order agreements shall include instructions
20 as to order placement, dollar limitations, billing instructions and
21 listing of persons authorized to place orders. The Director of
22 Procurement shall authorize individuals assigned to requiring

1 agencies to place orders against blanket order agreements [;
2 however, the amount of any single order placed against a blanket
3 order agreement shall not exceed fifty dollars (\$50.), with the
4 exception of repair items for equipment and plant facilities not
5 exceeding five hundred dollars (\$500.). The Director of
6 Procurement shall issue a purchase order at the end of each month
7 covering all orders delivered during the month under each blanket
8 order agreement]. The Director of Procurement shall also
9 periodically audit orders placed against blanket order agreements
10 by authorized individuals to assure conformance to good purchasing
11 standards.

12 Section 2. And Be It Further Enacted that this Act shall take
13 effect sixty (60) calendar days from the date it becomes law.

EFFECTIVE: June 14, 1993

AS AMENDED

HARFORD COUNTY BILL NO. 93-13 (as amended)(Brief Title) Amendment to Procurement Law

is herewith submitted to the County Council of Harford County for enrollment as being the text as finally passed.

CERTIFIED TRUE AND CORRECT

ENROLLED

Doris Poulsen
Secretary of the Council

[Signature]
President of the Council

Date April 13, 1993

Date April 13, 1993

BY THE COUNCIL

Read the third time.

Passed: LSD 93-11 (April 13, 1993)

Failed of Passage: _____

By Order

Doris Poulsen, Secretary

Sealed with the County Seal and presented to the County Executive for approval this 14th day of April, 1993 at 2:00 p. m.

Doris Poulsen, Secretary

BY THE EXECUTIVE

Eileen M. Redmann
COUNTY EXECUTIVE

APPROVED: Date April 15, 1993

BY THE COUNCIL

This Bill (No. 93-13, as amended), having been approved by the Executive and returned to the Council, becomes law on April 15, 1993.

Doris Poulsen, Secretary

EFFECTIVE DATE: June 14, 1993

AS AMENDED